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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:

Hiroaki SUDO

Application No.:

10/534,987

Filed:

May 16, 2005

For:

TRANSMITTING APPARATUS AND TRANSMITTING METHOD

## INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. US '256 corresponds to JP '060.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see <u>Beckman Instruments</u>, <u>Inc. v.</u>

<u>Chemtronics</u>, <u>Inc.</u>, 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and

appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: August 3, 2005

Registration No. 28,732

JEL/ejw

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FORM PTO-1449 U.S. Department of Conserve (Rev. 4/92) Patent and Trademark											ATTY. DOCKET NO. L9289.05135			SERIAL NO. 10/534,987			
STATEMENT BY APPLICANT											PLICANT	,	iki SUDO				
											LING DATE May 1	6, 2005	GROUP Unassigned				
	FILING DATE May 16, 2005 GROUP Unassigned															_	
EXAMINER		DOCUMENT NUMBER								I	DATE	NAME	CLASS	SUBCLASS	IF FAMILY PATE		
/J.L./			6	7	3	5	2	5	6		05/2004	Toshimitsu					
/J.L./			5	5	0	4_	7	7	5	$\perp$	04/1996	Chouly et al.					
FOREIGN PATENT DOCUMENTS																	
		DOCUMENT NUMBER								-	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATIO	ON	
												YES	8				
/J.L./	200	2001		0	3	0	6	0			04/2001	JP			Abstract		
/J.L./	200	2002		2	6	8	6	3			01/2002	JP			Abstract		
		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)															
/J.L./		T. Yoshiki, et al., "Performance of a Multilevel Transmit Power Control Scheme for the OFDM Subcarrier Adaptive Modulation System," Technical Report of IEICE, SSE2000-71, RCS2000-60(2000-07), OSaka, Japan, pages 53-88, July 2000.															
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EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.